REMARKS

Present Status of Application

The Examiner is thanked for the thorough examination of the present application. The

Office Action, however, has tentatively rejected all claims 1-22 under 35 U.S.C 102(e) as

allegedly anticipated by Tanaka (Pub No. US2003/0197612). Applicants have amended a

number of the claims herein, and in view of these amendments and the following remarks,

Applicants respectfully request reconsideration and withdrawal of the rejections.

Claims 1 and 13

Independent claims 1 and 13 are amended to clearly define over the cited art of record,

and therefore overcome the rejections under 35 U.S.C 102(e). Applicants respectfully traverse

the rejections for at least the following reasons.

Claim 1, as amended, recites:

> 1.   A non-intrusive access control method, comprising the steps of:
> acquiring identification of tags existing in a detection area;
> *determining user roles represented by the tags based on the acquired identification thereof, wherein each user role has been assigned a rank;*
> *retrieving identification of a first tag corresponding to a user role with the highest rank;*
> acquiring real-time circumstance information related to the a detection area; and
> determining whether the tags are permitted based on circumstance identification corresponding to the detection area, the identification of the first tag, and the real-time circumstance information.

(Emphasis added.) Applicants submit that claim 1 patently defines over the cited art for at least

the reason that the cited art fails to disclose the features emphasized above.

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As emphasized above, independent claim 1 uniquely defines: (1) User roles assigned with ranks and represented by the tags are determined based on the acquired tag identification; and (2) when a plurality of tags existing in a detection area, identification of a first tag therein corresponding to a user role with the highest rank is retrieved as a part of the basis of permission determination of other tags. These features clearly define over the cited art.

In this regard, Tanaka discloses an abnormality processing unit (120) executing entry determination process based on tables stored in a monitoring information storage (105), detected tag identification, and reader identification. Tag identification corresponds to person identification via tag-person relation table (shown in Fig. 9 of Tanaka). Person identification corresponds to names, ages, destinations, and attribute information via person table (shown in Fig. 7 of Tanaka). Significantly, Tanaka does not disclose classification by ranks. Thus, Tanaka does not teach or disclose feature (1) above.

As described in the present application, identification of a first tag corresponding to a user role with the highest rank is retrieved as a part of the basis of permission determination of other tags in the same detection area. In contrast, in Tanaka, abnormality processing unit does not located the tag with highest rank. Instead, when a plurality of tags exist in a detection area, the identification thereof are utilized to count the number of people to figure out a person not carrying a RFID tag (paragraphs 0114 to 0122, and 0148 to 0151 in Tanaka). Thus, Tanaka does not teach feature (2) above.

For at least these two separate and independent reasons, Tanaka fails to disclose the subject matter of amended claim 1, and the rejection of claim 1 should be withdrawn.

With regard to independent claim 13, as amended this claim recites:

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13.   An non-intrusive access control system, comprising:
a sensor for acquiring identification of tags and real-time circumstance information from a detection area; and
a computing device for *determining user roles represented by the tags based on the acquired identification thereof, wherein each user role has been assigned a rank, and the computing device retrieves identification of a first tag corresponding to a user role with the highest rank and determines whether the tags are permitted based on circumstance identification corresponding to the detection area,* the identification of the first tag, and real-time circumstance information.

(*Emphasis added.*) Applicants submit that claim 13 patently defines over the cited art for at least

the reason that the cited art fails to disclose the features emphasized above.

As emphasized above, independent claim 13 uniquely defines: (1) user roles assigned

with ranks and represented by the tags are determined based on the acquired tag identification;

and (2) when a plurality of tags existing in a detection area, identification of a first tag therein

corresponding to a user role with the highest rank is retrieved as a part of the basis of permission

determination of other tags. These features are similar to the feature described above in

connection with claim 1 and define over the cited art for at least the same reasons described

above.

Claims 5 and 17

Claims 5 and 17 have been amended to overcome the rejection(s) under 35 U.S.C 102(e).

Applicants respectfully traverse these rejections for at least the following reasons.

Claim 5 (as amended) recites:

5.   The method as claimed in claim 4, further comprising:
detecting whether water in a thermos is boiling; and
when the circumstance information indicating that the water in the thermos has been boiling, *determining that one of the tags corresponding to a low rank is not permitted to stay in the detection area.*

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As expressly provided in claim 5, claim 5 defines operations of determining whether water in a thermos is boiling and determining whether a tag corresponding to low rank is permitted to stay in the detection area based on boiling water detection. As shown in Fig. 1 and Fig. 21 of Tanaka, cameras (70) and human sensors (30) are provided, but no device detects boiling water. For at least this reason, Tanaka does not teach or disclose the features of claim 5.

Claim 17 also defines a similar feature and therefore defines over the cited art for at least the same reason as claim 5.

Claims 6 and 18

Claims 6 and 18 have been amended to overcome the rejection(s) under 35 U.S.C 102(e). As amended, claim 6 recites:

> 6.   The method as claimed in claim 4, further comprising *detecting water level in a bathing pool as the circumstance information.*

As amended, claim 6 defines an operation of detecting water-level in a bathing pool and adopts this as the circumstance information for permission determination of tags. In contrast, as shown in Figs. 1 and 21 of Tanaka, cameras (70) and human sensors (30) are provided. Significantly, however, no device detects water level. Thus, Tanaka does not teach the features of amended claim 6, and for at least this reason the rejection of claim 6 should be withdran.

Claim 18 also defines a similar feature and therefore defines over the cited art for at least the same reason as claim 6.

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Claims 7 and 19

Claims 7 and 19 have been amended to overcome the rejection(s) under 35 U.S.C 102(e).

As amended, claim 7 recites:

> 7.   The method as claimed in claim 1, wherein *the first tag is not permitted to stay in the detection area, further comprising determining that the first tag is permitted under a condition where a tag corresponding to a user role with higher rank than the user role of the first tag exist and is permitted to stay in the detection area.*

Applicant respectfully traverses these rejections made by the Examiner for at least the following reasons. As emphasized above, claim 7 defines an operation of permitting a first tag to stay in the detection area when accompanied with a tag corresponding to a user role with higher rank permitted to stay in the detection area. In contrast, and as shown in Fig. 7 of Tanaka, whether a person is allowed to enter a predetermined area is defined in person table and attribute table (shown in Fig. 8 of Tanaka). Track patterns (see paragraphs 0126 to 0141) limit the time and periods a person can stay or shuttle between areas. A person initially allowed to enter an area may no longer be allowed when exceeding the limitations provided by track patterns. Significantly, Tanaka does not teach how to allow an initially prohibited person to enter a predetermined area. The claimed embodiment defines a conditional management rule to allow a tag to stay in a detection area under the condition of being accompanied with another permitted tag. For at least this reason, Tanaka does not teach the above-described feature of claim 7, and the rejection of claim 7 should be withdrawn for at least this reason.

Claim 19 also defines a similar feature and therefore defines over the cited art for at least the same reason as claim 7.

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Cited Art

The cited art made of record, but not relied upon, has been considered but is not believed to impact the patentability of the pending claims.

Conclusion

As mentioned, the present invention differs significantly from the reference. The reference does not teach all of the limitations recited in independent claims 1 and 13 of the present application. Thus, these claims are allowable over the cited references. Insofar as claims 2-12 depend from claim 1 and 14-22 depend from claim 13, these claims are similarly patentable over the cited references.

In view of the foregoing remarks, Applicants respectfully request the Examiner's reconsideration of the application and the timely allowance of claims 1-22.

No fee is believed to be due in connection with this amendment and response to Office Action. If, however, any fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 20-0778.

Respectfully submitted,

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